

HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE

and

HON'BLE SHRI JUSTICE G.BHAVANI PRASAD

W.A.NO.140 OF 2006

-

Between:

Srilekha Industries rep by its

Proprietor G.Sreedhar Goud and 3 others

..... Petitioner

AND

A.P.Health & Medical Housing & Infrastructure

Development Corporation

(An enterprise of Government of A.P.)

rep by its Managing Director

DM & HS Office compound, Koti

Sultanbazar, Hyderabad and 4 others.

.....Respondents

::JUDGMENT::

Counsel for the Petitioner : Sri S.Lakshma Reddy

Counsel for Respondent No. 1 : Sri Y.Sudhakar

Counsel for Respondent Nos. 2 to 5 : Sri K.Vinay Kumar

Dated 13..2..2006

Per Sri G.S.Singhvi, CJ

This appeal is directed against order dated 3.1.2006 passed by the learned Single Judge in W.P.No.22954 of 2005 whereby he, without quashing the decision of A.P. Health and Medical Housing and Infrastructure Development Corporation (for short 'the Corporation') to place orders for supply of bandage cloth, gauge cloth and roller bandages upon respondents 2 to 5, directed the Corporation to undertake re-evaluation of the eligibility of the Agencies to supply bandage cloth etc., by inviting individual applications or tenders through open auction notification without incorporating any condition as to minimum annual turnover.

We have heard learned counsel for the parties and perused the record.

In reply to the court's query, learned counsel for the Corporation gave out that in furtherance of the direction given by the learned Single Judge, fresh tender notice has been issued inviting offers from eligible parties for supply of bandage cloth, gauze cloth and roller bandages.

Learned counsel for the appellants says that his clients do not have any grievance against the operative part of the order under challenge but the observations contained in the penultimate paragraph may be set aside because the same are likely to prejudice their cause.

Learned counsel for the contesting respondents says that the observations contained in the penultimate paragraph only reflect the state of facts obtaining at the time of filing of the writ petition.

We have considered the respective statements and submissions and are convinced that the direction given by the learned Single Judge does not suffer from any legal infirmity warranting interference by the Appeal Bench, more so, because no failure of justice has been occasioned.

In so far as the observations contained in the penultimate paragraph of the order under challenge are concerned, it is sufficient to observe that the same only represent a state of facts and do not create any right in favour of the private respondents.

With the above observations, the appeal is dismissed.

G.S.SINGHVI, CJ

Dt.13.2.2006

G.BHAVANI PRASAD,J

Msv/vtv